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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.            | CONFIRMATION NO.       |
|--|-------------|----------------------|--------------------------------|------------------------|
| 10/773,850   | 02/05/2004  | Robert W. Faber      | 42P8383XD                      | 7182                   |
| 8791 7590 01/08/2008<br>BLAKELY SOKOLOFF TAYLOR & ZAFMAN<br>1279 OAKMEAD PARKWAY<br>SUNNYVALE, CA 94085-4040 |             |                      | EXAMINER<br>HOFFMAN, BRANDON S |                        |
|  |             |                      | ART UNIT<br>2136               | PAPER NUMBER           |
|  |             |                      | MAIL DATE<br>01/08/2008        | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                       |                                     |  |
|------------------------------|---------------------------------------|-------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/773,850  | <b>Applicant(s)</b><br>FABER ET AL. |  |
|                              | <b>Examiner</b><br>Brandon S. Hoffman | <b>Art Unit</b><br>2136             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2007.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 13-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 13-18 are currently pending in this office action.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 24, 2007, has been entered.

3. Applicant's arguments, filed October 24, 2007, are moot in view of the new ground of rejection.

#### ***Claim Rejections***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Claim Rejections - 35 USC § 103***

5. Claims 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chow et al. (U.S. Patent No. 6,128,310) in view of Utz (U.S. Patent No. 5,680,131).

Regarding claim 13, Chow et al. teaches a pseudo random number generator (fig. 5) comprising: including video data (col. 3, lines 4-7), a state machine coupled to the cipher unit to also use the ciphering unit to generate a plurality of pseudo random numbers based on selected ones of said cipher bits wherein the state machine is equipped to transition to a continuous clocking state **that includes, upon power on or reset, causing the cipher unit to be continuously clocked to introduce entropy into the cipher unit** (fig. 3, ref. num 102 and col. 6, lines 1-20).

Chow et al. does not teach a cipher unit to generate a sequence of ciphering bits to cipher a stream of data.

Utz teaches a cipher unit to generate a sequence of ciphering bits to cipher a stream of data (fig. 2, ref. num 206).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine a cipher unit, as taught by Utz, with the random number generator of Chow et al. It would have been obvious for such modifications because the cipher unit secures the data that is transmitted between each media access controller.

Regarding claim 14, Chow et al. as modified by Utz teaches wherein the state machine operates in a selected one of a continuous clocking state, a first cipher bit

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taking state, an output state, a second cipher bit taking state, and an authenticated state, wherein the state machine causes the cipher unit to be continuously clocked while in said continuous clocking state to introduce entropy in said cipher unit; causes first and second plurality of said cipher bits to be taken and stored, in said first and second cipher bit taking states respectively, causes the stored first/second cipher bits to be output as first/second random number, causes the cipher bits of the cipher unit to be used to cipher said stream of data during said authenticated state (see col. 6, line 37 through col. 7, line 17 and col. 7, line 61 through col. 8, line 13 of Utz).

Regarding claim 15, Chow et al. as modified by Utz teaches wherein the state machine is equipped to transition from said continuous clocking state to said first cipher bit taking state, in response to a subsequent request after n clocks for said first pseudo random number, where n is an integer, and to transition from said first cipher bit taking state to said output state, upon storing the first output cipher bits (see col. 6, lines 37-65 of Utz).

Regarding claim 16, Chow et al. as modified by Utz teaches wherein the state machine is equipped to transition from said output state to a selected one of the continuously clocking state, the second cipher bit taking state, and the authenticate state depending on whether upon provision of the first pseudo random number, an indication of an unsuccessful authentication using the first pseudo random number, another request for a second pseudo random number, or an indication of a successful

authentication using the first pseudo random number is received (see col. 6, line 66 through col. 7, line 17 and col. 7, line 61 through col. 8, line 13 of Utz).

Regarding claim 17, Chow et al. as modified by Utz teaches wherein the state machine is equipped to transition from said second cipher bit taking state to said output state upon taking the second plurality of output cipher bits of the cipher unit and storing the second output cipher bits (see col. 6, line 37 through col. 7, line 17 of Utz).

Regarding claim 18, Chow et al. as modified by Utz teaches wherein the state machine is further equipped to transition from said authenticated state to said second cipher bit taking stat upon receiving another request for a third pseudo random number, and to said continuously clocking state upon receiving a selected one of an unauthenticated notification and a detachment notification (see col. 8, lines 8-41 of Utz, the process goes back to step 306 to get another random number).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser G. Moazzami can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Brandon Hoffman/

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